

ORDINANCE NO. 2743 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY FROM A-1 (AGRICULTURAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN TITLED "SPORTSMAN'S PARK WEST" LOCATED AT 6250 NORTH 95<sup>TH</sup> AVENUE; AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Glendale Planning and Zoning Commission held a public hearing on August 5, 2010, in zoning case ZON10-02 in the manner prescribed by law for the purpose of rezoning property located at 6250 North 95<sup>th</sup> Avenue from A-1 (Agricultural) to PAD (Planned Area Development);

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance and manner provided by law including publication of such notice in the *Glendale Star* on June 24, 2010; and

WHEREAS, the City of Glendale Planning and Zoning Commission has recommended to the Mayor and the Council the zoning of property as aforesaid and the Mayor and the Council desire to accept such recommendation and rezone the property described on Exhibit A as a PAD (Planned Area Development) in accordance with the Development Plan currently on file with the Planning Department as of the date of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That a parcel of land in Glendale, Maricopa County, Arizona located at 6250 North 95<sup>th</sup> Avenue is hereby conditionally rezoned from A-1 (Agricultural) as enacted by Ordinance No. 2086, New Series, dated July 13, 1999 to PAD (Planned Area Development) in accordance with the Development Plan currently on file with the Planning Department as of the date of this ordinance.

SECTION 2. That the rezoning herein provided for be conditioned and subject to the development being in substantial conformance with the development plan and permitted uses contained therein of the Sportsman's Park West Planned Area Development prepared September 16, 2010.

SECTION 3. That the rezoning herein provided for be further conditioned and subject to the following:

1. Development shall be in substantial conformance with the development plan outlined in the PAD document, date stamped September 22, 2010.

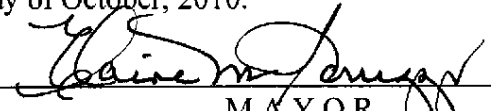
2. Parking will be provided for the proposed development as outlined in Section 6 of the PAD. Prior to issuance of any building permits, if the developer/property owner wants to utilize a shared parking concept among office, retail, housing and/or hotel uses the developer/property owner must submit a shared parking study for staff review and approval. Notwithstanding the foregoing, it is acknowledged that office (and related uses) and Stadium uses will share parking in a manner that is consistent with the property owner parking agreements previously entered into among the team, City and AZSTA.
3. Residential units shall have an average 60 square foot private exterior open space.
4. The tenant/property owner shall apply for a Special Event Permit for all special events held onsite.
5. Notwithstanding anything contained in the Sportsman's Park West PAD document relating to billboards and/or freeway pylon signage, the subject PAD will be subject to the City's adopted Zoning Ordinance Update (ZTA09-01) related to freeway oriented billboard and freeway pylon signage; provided that ZTA09-01 does not prohibit at least one billboard or freeway pylon sign in Sportsman's Park West.
6. When applicable, based on Federal Aviation Administration (FAA) requirements and staff analyses of previously approved building heights in the immediate area, prior to issuance of any building permits for Sportsman's Park West and for any building where the building height exceeds 100 feet, the developer/property owner shall submit form #7460 to the FAA and shall submit the FAA's determination to the City. A negative determination by the FAA may result in lowering the maximum building height permitted within Sportsman's Park West.
7. Specific parking locations that are not proximate, but are within the same area of development, and not necessarily on the same legal parcel as the intended use (other than the Stadium) will be analyzed in conjunction with site plan and design review of Phase I and all subsequent phases for the project. Leases with tenants who will be sharing parking with the Stadium will include a provision that requires them to reduce operations to a level consistent with their remaining exclusive parking whenever the landlord is making use of the shared parking for Stadium purposes. (See Section 6 of the PAD).
8. Additional traffic studies will be required in conjunction with site plan and design review for all phases for the project subsequent to Phase I. Staff will review and approve the scope of these studies including the list of intersections to be studied before the developer/property owner undertakes them. While the public streets and nine key intersections shown in the PAD application for Phase I (and detailed on Figure 1 of the related June 14, 2010, Traffic Study) are acceptable for all Phase I development, based on the Traffic Study, the design details of ancillary features such as driveways, access points, other non-key intersections located within the study area delineated on Figure 1 of the Traffic Study and site details currently not identified in the PAD will be analyzed as part of the design review process for individual buildings.

9. During the design review process for individual buildings for Phase I and all subsequent phases, the developer/property owner will cooperate with the City as it updates the traffic management plan for stadium events in conjunction with the parking site plan submitted by the developer/property owner for Stadium events to ensure safe and efficient circulation for both event traffic and uses permitted by the PAD.
10. Locations of traffic signals, public and private streets and the intersections of public and private streets (other than those shown in Phase I of the approved PAD) will be determined in conjunction with site plan and design review for Phase I and all subsequent phases for the project.
11. A master drainage report, a water study and a sewer study shall be submitted in design review for each phase.
12. All future development shall comply with all Fire Access requirements, including any High Rise construction.
13. Any new water/sewer/access easements and additional right-of-ways shall be dedicated to the City of Glendale prior to the first Certificate of Occupancy for that particular building.

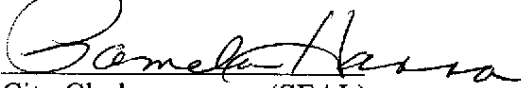
SECTION 4. Amendment of Zoning Map. The City of Glendale Zoning Map is herewith amended to reflect the change in districts referred to and the property described in Section 1 above.

SECTION 5. Effective Date. This Ordinance shall become effective at the time and in the manner prescribed by law.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 12th day of October, 2010.

  
MAYOR

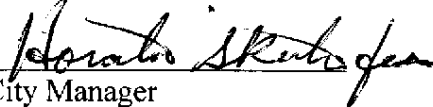
ATTEST:

  
City Clerk (SEAL)

APPROVED AS TO FORM:

  
City Attorney

REVIEWED BY:

  
City Manager